

REMARKS

Review and reconsideration of the application in view of Applicants' amendments and remarks are respectfully requested. Applicants herein amend Claims 1-3, 9, 11-16, 23, 25, 30, 39, 40, 42, and 44 for clarity, and such amendments are supported in the specification. Claim 45 is canceled in accordance with the election previously made by Applicant in response to the Restriction Requirement.

Claims 1-9, 11-13, 25, 33-36, 39, 40 and 44 are rejected under 35 USC §102(b) over Freedman (US 5,372,669). Claims 19-26, 38 and 41-43 are rejected under 35 USC §103(a) over Freedman as applied to claims 1-3 and 11. Claims 10 and 14 are rejected under 35 USC §103(a) over Freedman as applied to claim 1, and further in view of either Knauf (US 6,210,767) or Shirai (US 6,153,558). Claims 11, 12, 15-18, 27-37, 40, 42 and 44 are rejected under 35 USC §103(a) over Freedman as applied to claims 1 and 11, and further in view of Shirai, Harrison (US 5,399,218), Oshima (US 6,162,517), or a combination thereof. It is noted that the Office Action sets forth an argument over claim 7 as well, though it is not in the title of the rejection. Applicants presume claim 7 was meant to be rejected under 35 USC §103(a) over Freedman in view of Shirai, Harrison, Oshima, or a combination thereof. For at least the following reasons, Applicants traverse each rejection.

The claimed invention, as set forth at least in independent claims 1, 11, and 39, is directed to a process of forming a pre-label or label receiver sheet, wherein the process includes at least the steps of:

(a) providing a pragmatic pre-label sheet, wherein the sheet includes a co-extruded cast composite film comprising at least an image-receiving layer and a microvoided layer, wherein the composite film is stretched in at least one direction, and has a pressure-sensitive adhesive layer on at least a portion of a surface of the composite film on a side opposite the image-receiving layer; and

(b) providing the pre-label receiver sheet with a carrier sheet such that the adhesive layer of the pre-label receiver sheet is releasably covered with the carrier sheet in peelable adhesion, thereby forming an integral-separable pre-label receiver sheet.

The pragmatic pre-label sheet comprises a co-extruded image receiving layer and microvoided layer, and is releasably adhered to a carrier sheet. The pre-label sheet can be peeled from the carrier, and attached by the adhesive layer on the pre-label sheet to another surface. The pragmatic pre-label sheet can be cut into multiple labels, printed, such as by thermal printing, or a combination thereof.

Freedman is relied on as the primary reference for each rejection under 35 USC §102(b) and 35 USC §103(a). It is asserted in the Office Action that Freedman teaches the claimed pre-label sheet. However, Applicants respectfully submit the Patent Office has misinterpreted Freedman. Freedman discusses facestocks and liners for use in forming pressure-sensitive adhesive stock, or labels. However, as reflected at col. 2, lines 47-67, the multi-layer co-extruded polymeric film construction including a voided layer exemplified in Fig. 1 is a liner stock, not facestock. As described with regard to Figures 3A-3C at col. 6, lines 41, the liner stock shown in Fig. 1, identified as element **10**, is coated with an adhesive, followed by a release layer, and then combined with a facestock **32**, which is die-cut to form labels on the release liner **10**. As stated at col. 6, lines 65-68, the invention pertains to "...combining of a conventional type of facestock with a coextruded liner." Although coextruded facestock is described at col. 9, lines 22-27, there is no teaching or suggestion the facestock be microvoided or stretched. Further, Freedman does not teach or suggest printing of the facestock, before or after die-cutting. For at least the above reasons, Freedman does not teach, disclose or suggest all the features of the claimed invention.

Knauf does not overcome the deficiencies of Freedman. Knauf is directed to a release liner base stock for printed films or labels. As shown in Fig. 4 and described at col. 4, lines 9-16, the printed film or label **16** is releasably adhered to a release liner **10**. It is not disclosed or suggested that the printed film or label be a co-extruded cast composite film with a microvoided layer, as set forth in Applicants' claimed invention.

Shirai does not overcome the deficiencies of Freedman, or Freedman and Knauf. Shirai is directed to a thermal transfer image receiving sheet for labels. As shown in Fig. 1 and described at col. 5, lines 2-4, the sheet comprises a sticker portion **2** and a release sheet portion **3**. The sticker portion **2** includes a receptor layer **4**, an optional intermediate layer **5**, and a substrate **6**,

wherein the substrate layer can be foamed, but it is not disclosed or suggested that the substrate can be voided or that either the substrate or the receptor layer can be extruded. *See* col. 9, line 10 - col. 10, line 20.

Harrison does not overcome the deficiencies of Freedman, alone or in combination with any one or more of Shirai and Oshima (discussed below). Harrison discloses a thermal receiver comprising a coextruded dye image-receiving layer and thermoplastic resin with void initiating particles laminated to a support. There is no disclosure or suggestion of coating the coextruded layers with an adhesive or forming a peelable adhesive label.

Oshima does not overcome the deficiencies of Freedman, alone or in combination with any one or more of Shirai and Harrison. Oshima is directed to an image receiving sheet for thermal transfer printing having an adhesive sheet portion and a release sheet. The adhesive sheet portion can include a foamed layer (col. 4, lines 55-61), but does not teach or disclose a microvoided layer. There is no teaching or suggestion that either the foamed layer or the dye-receiving layer (col. 7, lines 15-23) can be extruded.

For at least the above reasons, reconsideration and withdrawal of each and every rejection under 35 USC §102(b) and 35 USC §103(a) are in order and are respectfully requested.

Applicants submit all of Claims 1-44 are in condition for allowance. Prompt and favorable action are respectfully requested.

Should the Examiner require anything further, or have any questions, the Examiner is asked to contact Applicants' undersigned representative.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.